

Order

**Michigan Supreme Court
Lansing, Michigan**

October 19, 2005

Clifford W. Taylor,
Chief Justice

127718

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

CHERYCE GREENE, as Personal
Representative of the Estate of
Keimer Easley, Deceased,
Plaintiff-Appellee,

v

SC: 127718
COA: 249113
Wayne CC: 01-125094-NP

A.P. PRODUCTS, LTD., and REVLON
CONSUMER PRODUCTS
CORPORATION,
Defendants-Appellants,

and

SUPER 7 BEAUTY SUPPLY, INC.,
f/k/a PRO CARE BEAUTY SERVICE,
INC, f/k/a PRO CARE BEAUTY
SUPPLY,
Defendants-Appellees,

and

RAANI CORPORATION,
Defendant.

On order of the Court, the application for leave to appeal the November 23, 2004 judgment of the Court of Appeals is considered, and it is GRANTED. Among the issues to be briefed, the parties are specifically directed to address the following: (1) whether the Court of Appeals erred in using a subjective rather than an objective standard in its analysis of the open and obvious doctrine, (2) whether the Court of Appeals erred in concluding that the product at issue was not a "simple" product, (3) whether the Court of Appeals erred in failing to recognize plaintiff as a sophisticated user as defined by MCL 600.2945(j), and (4) whether aspiration of this product is a foreseeable misuse, and whether the material risk of the misuse is or should be obvious to a reasonably prudent

product user. Persons or groups interested in the issues presented in this case may move the Court for permission to file briefs amicus curiae.



11012

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 19, 2005

A handwritten signature in cursive script, reading "Corbin R. Davis".

Clerk